

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Toshiaki Kanemitsu et al

Appln. No. : 08/669,313

Filed : July 8, 1996

For : SHEET METAL MEMBER HAVING AN  
ANNULAR PERIPHERAL WALL AND A  
METHOD OF THICKENING AN ANNULAR  
PERIPHERAL WALL OF THE SHEET METAL  
MEMBER

**REPLY BRIEF ON APPEAL (3 COPIES)**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Transmitted herewith are three (3) copies of a Reply Brief on Appeal in the above-identified application.

1. ☒ An Oral Hearing is requested.
2. ☐ An Oral Hearing is requested on \_\_\_\_\_.
3. ☐ An extension of time for filing the Brief on Appeal  
    ☐ is hereby requested.  
    ☐ was requested on \_\_\_\_\_.
4. ☐ A Verified Statement under 37 CFR 1.9 and 1.27  
    ☐ is enclosed.  
    ☐ is of record in this application.

The fee is calculated as follows:

	Large Entity	Small Entity	Amount
Filing Brief on Appeal	\$310.00	\$155.00	
Request for Oral Hearing	270.00	135.00	\$135.00

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Request for Extension of Time for Filing Brief			
<input type="checkbox"/> 1 month	110.00	55.00	
<input type="checkbox"/> 2 months	390.00	195.00	
<input type="checkbox"/> 3 months	890.00	445.00	
<input type="checkbox"/> 4 months	1,390.00	695.00	
<input type="checkbox"/> 5 months	1,80.00	945.00	

TOTAL DUE: \$ 135.00

5. ☐ No fee required.
6. ☐ A check in the amount of \_\_\_\_\_ is enclosed. (Check No. \_\_\_\_\_)
7. ☒ Please charge Deposit Account No. 10-1213 in the amount of \$ 135.00. A duplicate of this sheet is enclosed.
8. ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 10-1213. A duplicate of this sheet is enclosed.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ The Issue Fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,



Felix J. D'Ambrosio  
Reg. No. 25,721

August 10, 2001

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

*J. Douglas*  
*#33/Reply*  
*Brief*  
*8/15/01*

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TECHNICAL UNIT 3725

**REPLY BRIEF ON APPEAL**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The following comments are submitted pursuant to the provisions of 37 CFR

1.193(b)(1) in reply to the Examiner's Answer.

On page 4 of the Examiner's Answer the examiner states: "Kanemitsu et al  
....advises that the initial profile may be a disc-like plate, as shown in Figure 3, or flanged cup-  
shaped member, as shown in Figure 4." From this reading of Kanemitsu et al the examiner  
concludes, apparently, that the stepped portion is inserted between the top and bottom pattern  
tools, as recited in claim 5. Such a conclusion is not warranted by a fair reading of Kanemitsu et  
al.

Kanemitsu et al does, as the examiner indicates, state in column 2, lines 65 and 66  
that "the steel plate 1 may be a flanged cup-shaped member as shown in Fig. 4." Kanemitsu et al,

however, never suggests that the entire cup-shaped member is placed between top and bottom pattern tools. Kanemitsu et al focuses on the outer flange of the cup-shaped member, and it is more reasonable to conclude that only the outer flange of the cup-shaped member is placed between top and bottom pattern tools.

The examiner is reading Kanemitsu et al in light of the present disclosure as claimed. Those skilled in the art would not have the present disclosure before them and could not, therefore, reach such a conclusion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Felix J. D'Ambrosio', written in a cursive style.

Felix J. D'Ambrosio

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August 10, 2001

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